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Sarah Rubinstein

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EXAMINER

LAI, MICHAEL C

ART UNIT

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/534,223	Applicant(s) RUBINSTEIN, SARAH	
	Examiner MICHAEL C. LAI	Art Unit 2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 and 14-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 and 14-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 May 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>14 jan 2008</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This office action is responsive to amendment filed on 01/14/2008.

Response to Amendment

The examiner has acknowledged the amended claims 1, 14, the new claims 22-24, and the cancelled claim 13.

Response to Arguments

Applicant's arguments, see pages 9-13, with respect to claims 1-22 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

1. Claim 14 is objected to under 37 CFR 1.75(c) as being in improper form because it depends on a future claim (23). See MPEP § 608.01(n). Accordingly, the claim has not been further treated on the merits.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claim 1 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The newly added limitations “**Counting or estimating** the number of memorable events within said selected category which are user-specific

sources of contentment and which are user-specific sources of aggravation” and **“Calculating or estimating the difference** between said number of user-specific sources of contentment and said number of user-specific sources of aggravation and determining that the number of user-specific sources of contentment is significantly greater than the number of user-specific sources of aggravation for said selected category” are not supported in the specification. **The examiner has not given any patentable weight to the added limitations since there are no support for such limitations.**

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-11, 14-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crivella et al. (US 20030033323 A1, *hereinafter referred to as Crivella*), and in view of Chase (US 6,529,864 B1, *hereinafter referred to as Chase*).

6. Regarding claim 1, Crivella discloses a method for storing and retrieving personal information adapted to improve the level of contentment of a user, comprising:

a) Providing a database, for storing therein and retrieving therefrom information related to memorable events, each of said memorable events being associated with a different aspect of said user's life [para. 0017, lines 7-21: The managed information is stored in a database according to a unique schema which implements this

categorization according to the needs of the user. Computer technology is combined with the science of media production for presentation of the managed information in various multimedia audible, visual and textual digital forms and formats, to enable its representation in ways that enhance human understanding, while computer software application programming is provided to make the system work over a computer network, preferably the Internet, to permit interactive, multidirectional, multimedia digital data communications originated from anywhere in the world and made instantaneously available anywhere in the world to or from any number of different locations simultaneously, if desired.];

b) Specifying a list of categories by which said information is to be stored in and retrieved from said database [para. 0008, lines 17-29: ...by eliminating the "knowledge churn" inherent in the involvement of multiple individuals in the process, through creation of a system which takes advantage of concepts utilized in linguistics and library science for uniform categorization of the various types information involved, combining this method of organization with computer software and internet technology to allow the receipt, access, processing, storage, retrieval, transmission and utilization of audible, visual and textual data for real-time interactive use by multiple users in different remote environments, and utilizing alternative combinable multimedia digital data forms of presenting the information to simplify and maximize human understanding.];

c) Updating said database by storing information related to a user-specific memorable event, said information being stored in a unique location of said database and categorized according to a definition of each of said categories [para. 0062, lines

46-51: ...is being continuously and dynamically updated as new information is being entered, such that the same search conducted on the same criteria will yield the newly entered information as well as the pre-existing information fitting the search criteria, if the search is conducted after the new information has been entered.];

d) Accessing one or more unique locations of said database in which categorized information associated with a plurality of memorable events is stored [para. 0019: The user accesses the managed information from an internet web page having access through a web server to the database. The web page contains a feature for providing access to the most common or most recent information used within a category or subcategory, and contains features enabling retrieval and processing of the managed information for presentation in each form in which the information is used. The web page also contains a feature for storing the information most commonly used by a given user according to a categorization established by that user.];

e) Transmitting to, and/or displaying on, a user interface, upon request from said user, all memorable event information associated with a selected category [para. 0051, lines 11-14: ...is retrieved from the "library" using the graphical user interface (GUI) navigation scheme provided by the website interface to access the data according to its stored category type(s).];

f) Reviewing said transmitted and/or displayed information [same as item e above, retrieving information implies reviewing it.];

Crivella discloses substantially all limitations in claim 1. He teaches a method for receiving, accessing, processing, storing, retrieving, transmitting and utilizing audible,

visual and textual data that provides real-time interactive knowledge management. But he fails to disclose categorizing memorable events specifically into two categories: user-specific source of contentment and user-specific source of aggravation. However, Chase discloses 8 categories of connotative database: four categories of positive emotions including contentment, four categories of negative emotions including aggravation [col. 3 line 42 through col. 4 line 3; col. 9, lines 20-31; col. 10, line 22]. It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate Chase's teaching into Crivella's method for the purpose of allowing a person to count or estimate the number of memorable events which are user-specific sources of contentment and which are user-specific sources of aggravation by categorizing personal memorable events, thereby increasing positive emotion in a person's life.

7. Regarding claims 2 and 15, Crivella further discloses the categorized information is arranged by divisions such that each category is divided into groups, each group being divided into properties and each property being divided into details [para. 0017, lines 1-7: Concepts utilized in library science are implemented for uniform categorization of the information used in providing the knowledge management performed by the system, while concepts utilized in the science of linguistics are implemented for defining information acquisition, exchange and workflow to permit categorization of the managed information using the library science concept].

8. Regarding claim 3, Crivella further discloses wherein the categorized information is transmitted and/or displayed after the user requests to browse the stored categorized

information and selects a desired division from a list of corresponding divisions [para. 0018, lines 1-9: The database schema provides multiple levels of restricted access to the managed information in a way that allows the information to be included within categories each having subcategories that together implement the database schema. The information in each category or subcategory is retrievable independent of the information in any other category or subcategory, and information containing a common characteristic is retrievable from different categories or subcategories.].

9. Regarding claim 4, Crivella further discloses wherein the list of divisions transmitted and/or displayed to the user lists only those divisions for which information has been stored [para. 0019: The user accesses the managed information from an internet web page having access through a web server to the database. The web page contains a feature for providing access to the most common or most recent information used within a category or subcategory, and contains features enabling retrieval and processing of the managed information for presentation in each form in which the information is used. The web page also contains a feature for storing the information most commonly used by a given user according to a categorization established by that user.].

10. Regarding claim 5, Crivella further discloses wherein all information stored in the database will be transmitted to the user, upon request from the user, according to the division in which it was stored [para. 0018, lines 5-7: The information in each category or subcategory is retrievable independent of the information in any other category or subcategory...].

11. Regarding claims 6 and 16, Crivella further discloses wherein the information is selected from the group of voice information, digital information, multimedia information and textual information [para. 0023: FIG. (1) shows a "Knowledge Pyramid" used to represent the four basic aspects of the system of the present invention as they are combined together to permit receiving, accessing, processing, storing, transmitting and utilizing audible, visual and textual data for real-time interactive use by multiple users in different remote environments utilizing alternative combinable multimedia forms of presenting the information to simplify and maximize human understanding.].

12. Regarding claims 7 and 17, Crivella further discloses wherein the user interface is selected from the group of TUI (Telephonic User Interface), GUI (Graphical User Interface), an interactive television user interface and a text-based user interface [audible, visual and textual data for real-time interactive use as indicated above, and para. 0051, lines 11-14: ...is retrieved from the "library" using the graphical user interface (GUI) navigation scheme provided by the website interface to access the data according to its stored category type(s).].

13. Regarding claims 8 and 18, Crivella further discloses wherein the database is accessible through a data network [para. 0017, lines 16-21: ...is provided to make the system work over a computer network, preferably the Internet, to permit interactive, multidirectional, multimedia digital data communications originated from anywhere in the world and made instantaneously available anywhere in the world to or from any number of different locations simultaneously, if desired.].

14. Regarding claims 9 and 19, Crivella further discloses wherein the data network is selected from the group of a telephone network, an Internet network, an Intranet network, and a television network of coaxial cables [internet, para. 0017, lines 16-21: ...is provided to make the system work over a computer network, preferably the Internet, to permit interactive, multidirectional, multimedia digital data communications originated from anywhere in the world and made instantaneously available anywhere in the world to or from any number of different locations simultaneously, if desired.].

15. Regarding claim 10, Crivella further discloses wherein authorization is required prior to updating the database or browsing the stored categorized information [para. 0049, lines 15-18: ...the website can be remotely accessed from anywhere in the world with a password and a user name (with optional second level authentication such as random number verification)...].

16. Regarding claim 11, Crivella further discloses wherein the database can be updated by authorized individuals, in addition to the user [para. 0060, lines 1-11: FIGS. (23A) through (23E) show the creation, assignment and use of document sets (or "DocSets") for various pre-defined groups of users. Essentially, DocSets expand the "Group" folder concept to allow dividing an entire Knowledge Kiosk into groups (or DocSets) of Knowledge Elements that are to be **shared** among selected users. Each DocSet can be assigned to a different group of users with different access rights for each user. Furthermore, "Discussion Forums" can be created for allowing online **collaboration** amongst the users assigned to a particular DocSet.].

17. Regarding claim 14, Crivella discloses a system for improving storing and receiving personal information adapted to improve the level of contentment of a user, comprising:

A database, comprising the data storage device of claim 23 for storing therein and retrieving therefrom categorized information related to memorable events, each of said memorable events being associated with a different aspect of said user's life [para. 0017, lines 7-21: The managed information is stored in a database according to a unique schema which implements this categorization according to the needs of the user. Computer technology is combined with the science of media production for presentation of the managed information in various multimedia audible, visual and textual digital forms and formats, to enable its representation in ways that enhance human understanding, while computer software application programming is provided to make the system work over a computer network, preferably the Internet, to permit interactive, multidirectional, multimedia digital data communications originated from anywhere in the world and made instantaneously available anywhere in the world to or from any number of different locations simultaneously, if desired.];

A controller, for managing transmission of information between said user and said database [para. 0049, lines 1-14: the system presently implemented on the Internet at the Web Site "www.knowledge kiosk.com" which has a home page shown at FIG. (2). The known technology for establishing the website as well as receiving, accessing, processing, storing, retrieving, transmitting and utilizing the data made available to, from

and on the website is common to conventional website design and use, and is implemented using standard website design tools and operating software...];

A user interface for communicating with said controller [para. 0051, lines 11-14: ...is retrieved from the "library" using the graphical user interface (GUI) navigation scheme provided by the website interface to access the data according to its stored category type(s).]; and

A memorable event guide transmitted by said controller to said user interface which lists divisions of categorized information upon selection of a desired type of division by said user, information being stored in and retrieved from said database according to a selected division included within a list of said desired type of division, said controller being adapted to transmit from said database to said user interface, upon request from said user, stored categorized information according to each division selected by the user [para. 0018, lines 5-7: The information in each category or subcategory is retrievable independent of the information in any other category or subcategory...] [para. 0019: The user accesses the managed information from an internet web page having access through a web server to the database. The web page contains a feature for providing access to the most common or most recent information used within a category or subcategory, and contains features enabling retrieval and processing of the managed information for presentation in each form in which the information is used. The web page also contains a feature for storing the information most commonly used by a given user according to a categorization established by that user].

Crivella discloses substantially all limitations in claim 14. He teaches a system for receiving, accessing, processing, storing, retrieving, transmitting and utilizing audible, visual and textual data that provides real-time interactive knowledge management. But he fails to disclose categorizing memorable events specifically into user-specific source of contentment. However, Chase discloses 8 categories of connotative database: four categories of positive emotions including contentment [col. 3 line 42 through col. 4 line 3; col. 9, lines 20-31]. It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate Chase's teaching into Crivella's system for the purpose of allowing a person to count or estimate the number of user-specific sources of contentment by associating personal memorable events with source of contentment, thereby increasing positive emotion in a person's life.

18. Regarding claim 20, Crivella further discloses wherein the contentment source guide is selected from the group of an audible menu, graphic menu and textual menu [audible, visual and textual data for real-time interactive use as indicated above, and para. 0051, lines 11-14: ...is retrieved from the "library" using the graphical user interface (GUI) navigation scheme provided by the website interface to access the data according to its stored category type(s).].

19. Regarding claim 21, Crivella further discloses wherein the database, system manager and user interface are hosted by a personal computer [para. 0006, lines 5-14: From the advent of word processing programs to the increasing power of personal computers and the development of software enabling communication in alternative

mediums, forms and formats, the problem of "knowledge churn" can be solved in the sense of being able to represent complex issues and concepts ways that people can easily understand based on their common experience of comprehending information in many different forms either alone or in combination with each other at different times or at once.].

20. Regarding claim 22, Crivella discloses a data storage device comprising memory means in which categorized information related to memorable events is stored and from which said information is retrievable, each of said memorable events being associated with a different aspect of a user's life [para. 0017, lines 7-21].

Crivella discloses substantially all limitations in claim 22. He teaches a data storage device for storing, retrieving, transmitting and utilizing audible, visual and textual data that provides real-time interactive knowledge management. But he fails to disclose categorizing memorable events specifically into user-specific source of contentment. However, Chase discloses 8 categories of connotative database: four categories of positive emotions including contentment [col. 3 line 42 through col. 4 line 3; col. 9, lines 20-31]. It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate Chase's teaching into Crivella's system for the purpose of allowing a person to count or estimate the number of user-specific sources of contentment by associating personal memorable events with source of contentment, thereby increasing positive emotion in a person's life.

21. Regarding claim 23, Crivella discloses substantially all limitations in the claim but fails to disclose categorizing memorable events specifically into two categories: user-

specific source of contentment and user-specific source of aggravation. However, Chase discloses 8 categories of connotative database: four categories of positive emotions including contentment, four categories of negative emotions including aggravation [col. 3 line 42 through col. 4 line 3; col. 9, lines 20-31; col. 10, line 22]. It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate Chase's teaching into Crivella's method for the purpose of allowing a person to count or estimate the number of memorable events which are user-specific sources of contentment and which are user-specific sources of aggravation by categorizing personal memorable events, thereby increasing positive emotion in a person's life.

22. Regarding claim 24, Crivella discloses substantially the limitations but fails to disclose wherein each stored memorable event is tagged as being a source of contentment or a source of aggravation, and steps g-h are then performed by a processor. However, Chase discloses 8 categories of connotative database: four categories of positive emotions including contentment [col. 3 line 42 through col. 4 line 3; col. 9, lines 20-31]. He also discloses a processor [col. 5, lines 38-42] for performing all steps. It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate Chase's teaching into Crivella's method for the purpose of allowing a person to count or estimate the number of memorable events which are user-specific sources of contentment and which are user-specific sources of aggravation by categorizing personal memorable events, thereby increasing positive emotion in a person's life.

23. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Crivella and Chase as applied to claim 2 above, and further in view of Desain et al. (US 7,177,871 B1, hereinafter referred to as Desain).

24. Regarding claim 12, Crivella and Chase disclose substantially all the limitations, but fail to disclose a card game in the database. However, Desain discloses playing a card game using a database [col. 6, lines 52-54: Alternatively, board and card games may be played when the database comprises a list of all possible moves.]. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Desain into Crivella's and Chase's method to have the database as at least one board adapted for use in a card game, each of said boards being divided into a number of cells which are arranged as a table of rows and columns, such that each cell corresponds to a different division of categorized information, whereby a player updates the database by placing a card on which is written information related to a source of contentment into a desired cell. The motivation would be for improving a level of contentment.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Wilkinson et al. (US 2002/0143775 A1), has taught a computer-based multi-media management system for controlling access to stored multi-media assets utilizing a database.

Examiner's Note: Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C. Lai whose telephone number is (571) 270-3236. The examiner can normally be reached on M-F 8:30 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Michael C. Lai
25APR2008

/Yves Dalencourt/
Primary Examiner, Art Unit 2157